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TAGS: [PGOV](#) [PREL](#) [SOCI](#) [CVIS](#) [CPAS](#) [JM](#) [XL](#)  
SUBJECT: JAMAICA: MORE BACKLASH AGAINST U.S. PASSPORT  
HOLDERS IN GOJ

REF: A. KINGSTON 364  
[1](#)B. 07 KINGSTON 1348  
[1](#)C. KINGSTON 280

Summary  
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[1](#)1. (SBU) On May 5, Director of Elections Danville Walker announced his immediate resignation. Walker's resignation marks the latest casualty in the dual citizenship imbroglio that already has forced at least three Members of Parliament to formally renounce their U.S. citizenship (Ref A). Under Jamaican law, the post of Director of Elections may not have sworn allegiance to a foreign power. In his official statement, he stated that he was unwilling to renounce his U.S. citizenship. His resignation comes at an inauspicious time, as the possibility of a rash of by-elections or a snap general election looms large on the horizon. End Summary.

Respected No-Nonsense Leader  
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[1](#)2. (U) Danville Walker was appointed as Director of Elections (DOE) over ten years ago by former Prime Minister P.J. Patterson of the People's National Party (PNP). Over his years of service, Walker has developed a reputation as a no-nonsense leader who is politically neutral. The 49-year old certified public accountant took over an organization that was failing in its basic mission to provide up-to-date voters lists and to allow free and fair elections at all polling stations. However he has been at the center of much of the recent controversy of dual national elected as Members of Parliament (MPs) in contravention of the constitution. Walker's official proclamations, that all candidates for Parliament had been properly nominated, were cited in the Supreme Court hearings of MP Daryl Vaz of the Jamaica Labour Party (JLP) in the election petition filed against him by PNP candidate Abe Dabdoub (Ref A). Walker later came under fire personally when his U.S. citizenship came to light in the media, since the Electoral Commission (Interim) Act prohibits "allegiance, obedience or adherence to a foreign power or state."

[1](#)3. (SBU) During his last year on the job Walker supervised national and local elections, both declared free-and-fair by impartial observers. In fact, Jamaica has developed a reputation as a leader in election operations in the Western Hemisphere. After observing the September 2007 general elections, some members of the Organization of American States (OAS) mission declared a desire to make recommendations to their home countries to follow the Jamaican model (Ref B). Walker has been lauded in the past by senior members of both the JLP and PNP, and some are now calling for a review of the Electoral Commissions Act.

Critical Juncture for Election Commission

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¶4. (SBU) Danville Walker's resignation comes at a critical time in Jamaican politics. Since the initial ruling for a by-election to be held to settle the Vaz-Dabdoub dispute for the West Portland constituency, and with other election petition suits pending, a series of by-elections or even a snap general election loom. Prime Minister (PM) Bruce Golding has stated that he will not let anyone serve in Parliament through a legal technicality who had not been duly elected by the voters (Ref A). Therefore, a general election before the end of 2007 may become unavoidable. The Election Commission is completing a new voter registration list which should be published before the end of May. However, there is no clear successor for Mr. Walker for the critical post of DOE. The government must work fast to identify a solidly qualified and impartial replacement in advance of what could prove the most closely-scrutinized election in the history of Jamaica.

#### Election Petitions and Dual Nationals in Parliament

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¶5. (SBU) Abe Dabdoub recently announced his intent to proceed with an appeal of Supreme Court Justice Zaila McCalla's decision that the West Portland seat should be settled in a by-election (Ref A). Dabdoub maintains that he alerted the voters that Vaz was not eligible to serve in Parliament, and therefore any votes for Vaz were 'null and void.' Meanwhile, Vaz is using the publicity generated from the suit to increase his own visibility, and appears more popular than ever among the constituents. (Note: Vaz has renounced his U.S. Citizenship, and Embassy Kingston delivered the Certificate of Loss of Nationality (CLN) to Vaz on May 6. After collecting his CLN documents, Vaz stated to Conoff that when PM Golding returns to Jamaica from his state visit to Cuba, he will deliver an ultimatum to two other JLP MPs to renounce or resign. Vaz plans to run again for the seat in any upcoming by-election or general election. End Note.)

¶6. (SBU) There is still a chance that the dual-nationality issue can be solved via a mutual agreement between the PNP and the JLP to not contest any by-elections ordered by the courts. This would allow the current government to move on and concentrate on other pressing issues such as high crime, soaring prices, and inflation. According to Embassy sources within the PNP, many within the opposition party do not support Dabdoub's attempt to gain a seat in Parliament at all costs. Some now speculate that Opposition Leader Portia Simpson-Miller was not properly briefed on the possible repercussions of a litigious approach to contesting the elections.

¶7. (SBU) In a previous Dabdoub bid for Parliament in 1997, the seat winner was resolved through the courts when a recount led to several votes being disallowed and saw the then member of the JLP usurp the seat of PNP sitting MP Phylis Mitchell. Dabdoub was unhappy with senior leadership in the JLP after Golding's return to the JLP in 2002, so he crossed over to the PNP; and now, once again, is seeking to gain power through the courts, instead of at the polls. He is viewed by some as a 'turncoat' who will do whatever it takes for personal gain, since he has developed a reputation for being litigious and for switching party allegiance. Ironically, his last election petition adversary, Phylis Mitchell, is herself challenging for a seat in Parliament through an election petition filed against the JLP's Gregory Mair. Mitchell alleges that Mair possesses Venezuelan citizenship and therefore was constitutionally ineligible to be nominated as a candidate for Parliament. However, the initial ruling by the courts stated that the subpoena had been improperly served, so the case may be thrown out. Mitchell has appealed the initial ruling, but no further hearings have taken place.

No Effect on Demand for U.S. Visas

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¶8. (SBU) Despite all the controversies over high ranking government officials holding U.S. Citizenship contrary to the law, there has been little effect on the general population. The Consular Section remains as busy as ever, and has seen huge demand for their attempts to offer special interview procedures for previous U.S. visa holders to renew their visas. Despite very little fanfare in the media, over 350 visa holders came on the first day of the new program. On the second day of the program the re-issuance line was shut down after less than one hour, because of security concerns which arose when the numerous applicants began pushing and shoving, refusing to form an orderly line. The remaining applicants were sent away and a press release spelling out the issue was submitted to local media outlets. Consular plans to continue the popular program after examining ways to ensure it can proceed in a safe and orderly manner.

¶9. (SBU) The American Citizen Services (ACS) Section reports that demand for U.S. passports continues at all-time high levels. So far for Fiscal Year 2008 (FY08), applications for passports are approximately ten percent higher than the record levels of Fiscal Year 2007 (FY07). While the huge FY07 increases can be explained by the new travel requirements of the Western Hemisphere Travel Initiative (WHTI), demand for passports in other countries has declined from peak FY07 levels. Thus, despite the controversy surrounding dual nationals serving in high government offices, there appears to be no decline in demand for U.S. travel documents and citizenship determinations among the general population.

#### Conclusions

¶10. (SBU) The resignation of the senior government official in charge of elections in Jamaica, comes at a most inauspicious time. The Election Commission is currently finalizing a fresh voter list and the possibility of a rash of by-elections or a snap general election looms large on the horizon. Unless a compromise between the JLP and the PNP can be reached before the culmination of the Dabdoub-Vaz Election Petition dispute, PM Bruce Golding may feel forced to call a fresh general election. Since Golding already faces challenges from the narrowest majority in the history of the Jamaican Parliament (Ref C), he may utilize the PNP litigation to justify the need to call a new election, thus ensuring that all serving MPs are serving at the mandate of the people and not the courts. While as many as four seats involving alleged dual nationals may be visited by the courts, the total number of dual nationals serving in Parliament is unknown. Some in the media have speculated that as many as ten current members of Parliament may have sworn allegiance to foreign powers and thus serve in contravention to Jamaican law.

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